

14-July-2003

**Federal Communications Commission
Gettysburg, PA**

Re: **RM-10740**

Dear Sirs:

I strongly urge the FCC to **REJECT** the Petitioners' claim to impose and codify (via Federal regulation) a bandwidth limit of 5.6 khz on AM (A3E) or 2.8 kHz RF bandwidth limit on SSB (J3E) modes.

From the onset, it appears that this case is essentially a problem between two groups of operators operating within a few kilohertz of each other. The first group of operators (e.g. audio experimenters) allegedly operates in a time and manner inconsistent with the desires of the latter group (e.g. contesting, DX'ing, etc.), within the 20-meter band. The result is an emotional fracas in which the latter group (feeling ignored by the experimenters) demands that all amateurs comply with their unyielding concept of transmitter bandwidth standards.

A failure to comply with this edict has resulted in a witch-hunt of all audio experimenters who must relinquish their right to operate. Otherwise, these operators risk being the target of an organized campaign (by five complainants) to file innumerable complaints against them with the FCC.

What happens if these standards are made into law?

It will demand that the FCC have at its disposal adequate enforcement personnel to ensure that all operators comply with these new bandwidth specifications. The long record of limited self-regulation within the Amateur Service will be halted in its tracks, giving commercial interests an opportunity to turn a petty squabble to their advantage.

Considering the litigious nature of our society, I also foresee equipment manufacturers being coerced into recalling millions of radio transmitters by disgruntled operators seeking to litigate this issue in the courts. Everyone is familiar with the product liability lawsuits which are the typical strong-arm tactics currently being used against the firearm and fast food industry. Ham radio will not be far behind.

What happens then?

Manufacturers will attempt to survive by instituting their own particular brand of "type acceptance" on future radio transmitters. A natural offshoot would be the realization of "channel" frequencies in the amateur band. After all, why would a manufacturer risk being a scapegoat for "wide" transmitter bandwidth, when it would be much simpler to sell "channelized" equipment similar to the commercial radios available now? Why not reduce maximum power to 50 watts ERP while they are at it?

(Note - Although the Petitioners claim that the use of "channels" is not a concept that they embrace, other petitioners seeking radical solutions could theoretically make such a request for all amateur bands, citing the recent 60-meter allocation as a model.)

Hapless operators (experimenters and contesters alike) fearing a deluge of complaints and warning letters will be forced to purchase and use spectrum analyzers to continuously monitor their transmissions so as not to run afoul of the statute.

These operators will only have three options: (i) obtain (at considerable cost) suitable spectrum analysis equipment and become proficient in its use, (ii) prepare to defend and litigate all accusations (true or not) of wide or over modulated signals, or (iii) cease all future amateur radio operation.

This unpleasant scenario could have been easily averted if both groups ceased hostilities, reigned in their egos, and used simple common courtesy when operating. Regardless, the Petitioners seek to impose these onerous technical standards on all operators, in the hope that by doing so - it will repress all audio experimentation. It appears that they are attempting to use the weight (and threat) of the FCC to achieve their agenda in a divisive manner.

Regrettably, if this proposal comes to fruition, only test equipment vendors, attorneys, or E-Bay will stand to benefit from this intolerance.

Please REJECT this proposal.

Sincerely,

Frank Aguilar – N5QXP